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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/263,402 03/05/99 HEINONEN

P 442-008516-U

EXAMINER

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PERMAN & GREEN
425 POST ROAD
FAIRFIELD CT 06430-6232

DAVIS, T

ART UNIT

PAPER NUMBER

2681

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07/05/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/263,402

Applicant(s)

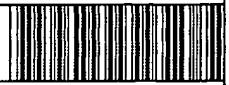
Heinonen et al.

Examiner

Temica M. Davis

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on Apr 19, 2001

2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 1-21 is/are pending in the application.

4a) Of the above, claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) 1-21 is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claims _____ are subject to restriction and/or election requirements.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a) ☒ All b) ☐ Some* c) ☐ None of:

1. ☒ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. _____.

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

15) ☒ Notice of References Cited (PTO-892)

18) ☐ Interview Summary (PTO-413) Paper No(s). _____

16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

19) ☐ Notice of Informal Patent Application (PTO-152)

17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____

20) ☐ Other:

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DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 13 and 17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 13 and 17, it is unclear if the user terminal device or the measuring system is configured to send a message to the user terminal device if the set threshold value is exceeded. Clarification is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grube et al, U.S. Patent No. 6,031,455.

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Regarding claim 1, Grube discloses a system for performing environmental measurements and for transferring measuring data, wherein the system comprises a plurality of infrastructure equipment (18, 20, 24, 30, 32 and 34) of a cellular radio system, the infrastructure equipment having means for transferring data in the cellular radio system (figure 1), a plurality of environmental measuring stations each being connected to one of the plurality of infrastructure equipment (figure 1), the measuring stations comprising measuring means for performing environmental measurements (col. 3, lines 4-20), and control means for transferring measuring data to the respective infrastructure that it is connected to for transferring the measuring data further over said cellular radio system (col. 3, lines 40-57)), a central equipment connected to the cellular radio system for collecting environmental measuring data from the plurality of environmental measuring stations of the cellular radio system (col. 3, lines 4-26), and terminal devices of the cellular radio system for receiving data relating to the environmental measurements via the cellular radio system (col. 3, lines 40-57).

Grube, however, fails to specifically disclose wherein each environmental measuring station is physically placed on the same site as and connected to base stations.

Grube does teach, however, that by using wireless communication devices, centralized processing of the environmental conditions sensed can be provide users of the system customized warnings (col. 8, lines 25-27). Grube also teaches that the measuring stations can be equipped with GPS receivers wherein its location, along with the sensed environmental conditions, can be forwarded to the infrastructure equipment. This inherently would provide a larger area in which

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possible hazardous conditions could be made known to a user of the system, as opposed to if the measuring station was only located in the base station, in which only a smaller area of sensed conditions could be made known to a user.

Therefore, it would have been obvious design choice to a person of ordinary skill in the art at the time the invention was made to place the measuring stations physically at base stations since placing the measuring stations at the base station would have been based on needed performance of the designer of the system.

Regarding claim 2, the combination Grube discloses a system according to claim 1, wherein the system comprises a data adapter for adapting the data transferred from the measuring station to the infrastructure into a format suitable for the infrastructure and correspondingly for adapting the data coming from the infrastructure to the measuring station into a format suitable for the measuring station as evidenced by the fact that all of the entities in the system are able to communicate with each other (figure 1).

Regarding claim 3, the Grube discloses a system according to claim 1, wherein it comprises in said central equipment means for collecting announcements that are sorted regionally and are based upon the collected measuring data, and for transmitting said announcements to terminal devices over the cellular radio system (col. 4, line 50-col. 5, line 8; figure 3).

Regarding claim 4, Grube discloses a system according to claim 1, wherein the control means of one of the plurality of environmental measuring stations have been arranged to transfer

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measuring data to a terminal device being in the coverage area of the infrastructure (figures 1 and 3).

Regarding claim 5, Grube discloses a system according to claim 1, wherein at least one of said plurality of environmental measuring stations comprises a memory for storing at least one predetermined alarm limit in connection with a certain measurement and means for comparing the measuring data obtained based upon a measurement performed by the measuring means with said alarm limit and for generating an alarm signal when said alarm limit is exceeded (col. 3, lines 16-20, col. 3, lines 54-57 and col. 6, line 4-14).

Regarding claim 6, Grube discloses a system according to claim 1, wherein the system has been arranged to transfer said measuring data in a data call or in a short-message over the cellular radio system (col. 2, line 65-col. 3, line 3).

Regarding claim 7, Grube discloses a system for performing environmental measurements and for transferring measuring data, wherein the method comprises the steps of performing environmental measurements in connection with infrastructure equipment of a cellular radio system (figure 1), the infrastructure equipment having means for transferring data in the cellular radio system (col. 3, lines 40-57), collecting said results at a central location from the environmental measuring station (col. 3, lines 40-57; figure 1), transferring data relating to the environmental measurements to a terminal device of the cellular radio system (col. 3, lines 40-57; figure 1).

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Grube, however, fails to specifically disclose wherein each environmental measuring station is physically placed on the same site as and connected to base stations.

Grube does teach, however, that by using wireless communication devices, centralized processing of the environmental conditions sensed can be provide users of the system customized warnings (col. 8, lines 25-27). Grube also teaches that the measuring stations can be equipped with GPS receivers wherein its location, along with the sensed environmental conditions, can be forwarded to the infrastructure equipment. This inherently would provide a larger area in which possible hazardous conditions could be made known to a user of the system, as opposed to if the measuring station was only located in the base station, in which only a smaller area of sensed conditions could be made known to a user.

Therefore, it would have been obvious design choice to a person of ordinary skill in the art at the time the invention was made to place the measuring stations physically at base stations since placing the measuring stations at the base station would have been based on needed performance of the designer of the system.

Regarding claim 8, Grube discloses a method according to claim 7, wherein the method further comprises a step of collecting said results through the cellular radio system from environmental measurements at several infrastructures and creating a regional measuring result based upon them (col. 4, line 50-col. 5, line 8; figure 3).

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Regarding claim 9, Grube discloses a method according to claim 7, wherein the method comprises transferring said results over the infrastructure to a terminal device being in the coverage area of the infrastructure (figures 1 and 3).

Regarding claim 10, Grube discloses a method according to claim 9, wherein the method comprises setting an alarm limit for a certain measurement and transferring said results over the infrastructure to the terminal device as a response to the measured environmental data exceeding said alarm limit (col. 3, lines 16-20, col. 3, lines 54-57 and col. 6, line 4-14).

Regarding claim 11, Grube discloses a method according to claim 7, wherein the method comprises transferring said results in a data call or in a short-message over the cellular radio system (col. 2, line 65-col. 3, line 3).

Regarding claim 12, Grube discloses a system according to claim 5, and further reads on wherein the measuring station is configured to automatically send alarm signal to the central equipment (col. 4, lines 28-49).

Regarding claim 13, in view of the 112 rejection above, the examiner will interpret the claim language of claim 13 as best understood. Grube discloses a system according to claim 1, and further reads on wherein the measuring system is configured to allow a user of the terminal device to set a personal threshold value in the measuring system, and the terminal device of the user is configured to send through the base station a personal message to the user's terminal device if the set threshold value is exceeded (col. 3, lines 4-25).

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Regarding claim 14, Grube discloses a system according to claim 1, and further reads on wherein the measuring system is configured to allow a user of the terminal device to set an individual alarm limit with the terminal device, and the terminal device is configured to send, via the infrastructure to the measuring, said set individual alarm limit when the terminal device is within the area of the infrastructure (col. 3, lines 4-25 and col. 5, lines 37-48).

Regarding claim 15, Grube discloses wherein the individual alarm limit is a pollen concentration value (col. 3, lines 20-26; figure 3).

Regarding claim 16, Grube discloses a system according to claim 14, and reads on wherein the terminal device is configured to automatically send, via the infrastructure to the measuring stations said set individual alarm limit upon arriving in the area of the infrastructure (col. 3, lines 4-26, col. 5, lines 37-48; figures 1 and 3).

Regarding claim 17, in view of the 112 rejection above, the examiner will interpret the claim language of claim 17 as best understood, Grube discloses a method according to claim 7, and further reads on comprising a step by a user, of setting the terminal device to a personal threshold value and a step by the terminal device, of sending through the infrastructure a personal message to the user's terminal if the set threshold value is exceeded (col. 3, lines 4-25).

Regarding claim 18, Grube discloses a method according to claim 17, further comprising a step by the user of setting at the terminal device an individual alarm limit and a step by the terminal device of sending via the infrastructure to the measuring station, said set individual

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alarm limit when the terminal device is within the area of the infrastructure (col. 3, lines 4-25 and col. 5, lines 37-48).

Regarding claim 19, Grube discloses wherein the individual alarm limit is a pollen concentration value (col. 3, lines 20-26; figure 3).

Regarding claim 20, Grube discloses a method of claim 18, wherein the terminal device is configured to automatically send, via the infrastructure to the measuring station, said set individual alarm limit upon arriving in the area of the base station (col. 3, lines 4-26, col. 5, lines 37-48; figures 1 and 3).

Regarding claim 21, Grube discloses a method according to claim 18, wherein the terminal device is configured to automatically send said alarm limit to central equipment of the cellular radio system (col. 4, lines 28-49).

Response to Arguments

5. Applicant's arguments with respect to claims 1-21 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Schultz et al, U.S. Patent No. 5,159,315, discloses a communication system with environmental condition detection capability.

Henderson, U.S. Patent No. 4,665,385, discloses a hazardous condition monitoring system.

Comer, U.S. Patent No. 6,154,648, discloses methods and apparatus for communicating data via a cellular mobile radiotelephone system.

Janky et al, U.S. Patent No. 5,552,772, discloses location of emergency service workers.

Lusignan, U.S. Patent No. 4,972,507, discloses radio data protocol communications system and method.

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Temica M. Davis whose telephone number is (703) 306-5837. The examiner can normally be reached on Monday-Thursday from 6:30 am to 4:00 pm. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner are unsuccessful, the examiner's supervisor, Dwayne Bost, can be reached on (703) 305-4778.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703)305-4700.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for any communications intended for entry).

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

TMV

Temica M. Davis
July 2, 2001



DWAYNE BOST
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

7-2-01